

Federal Communications Commission

§ 90.203

contour of the station that was previously engaged in trunked operation.

[62 FR 18926, Apr. 17, 1997, as amended at 63 FR 68965, Dec. 14, 1998; 64 FR 36270, July 6, 1999; 64 FR 50258, Sept. 16, 1999]

EFFECTIVE DATE NOTES: 1. At 64 FR 50258, Sept. 16, 1999, §90.187 was amended by revising paragraphs (b)(2) introductory text, (b)(2)(ii), and (b)(2)(iii) and adding paragraphs (b)(2)(iv), (d), and (f), effective Nov. 15, 1999. For the convenience of the user, the superseded text is set forth as follows:

§ 90.187 Trunking in the bands between 150 and 512 MHz.

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(b) * * *

(2) Trunking will be permitted on frequencies where an applicant or licensee does not have an exclusive service area, provided that all frequency coordination requirements are complied with and consent is obtained from all licensees pursuant to paragraphs (b)(2)(i), (b)(2)(ii), and (b)(2)(iii) of this section.

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(ii) Stations with service areas (37 dBu contour for stations in the 150–174 MHz band and 39 dBu contour for stations in the 421–512 MHz bands; See §90.205) that overlap a circle with radius 113 km (70 mi.) from the proposed base station. Alternatively, applicants may submit an engineering analysis based upon generally accepted engineering practices and standards that demonstrates that the service area of the trunked system does not overlap the service area of any existing station.

(iii) The consensual agreements among licensees must specifically state the terms agreed upon and a statement must be submitted to the Commission indicating that all licensees have consented to the use of trunking. If a licensee has agreed to the use of trunking, but later decides against the use of trunking, the licensee may request that the licensee(s) of the trunked system reconsider the use of trunking. If the licensee is unable to reach an agreement with the licensee(s) of the trunked system, the licensee may request that the Commission consider the matter and assign it another channel. New licensees will only be assigned the same channel as a trunked system, if the new licensee reaches an agreement with the licensee(s) of the trunked system.

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2. At 64 FR 50258, Sept. 16, 1999, §90.187 was also amended by adding paragraphs (b)(2)(v) and (e). This section contains information and recordkeeping requirements, and these

amendments will not become effective until approval has been given by the Office of Management and Budget.

Subpart I—General Technical Standards

§ 90.201 Scope.

This subpart sets forth the general technical requirements for use of frequencies and equipment in the radio services governed by this part. Such requirements include standards for acceptability of equipment, frequency tolerance, modulation, emissions, power, and bandwidths. Special additional technical standards applicable to certain frequency bands and certain specialized uses are set forth in subparts J, K, and N.

[43 FR 54791, Nov. 22, 1978, as amended at 54 FR 4030, Jan. 27, 1989]

§ 90.203 Certification required.

(a) Except as specified in paragraphs (b) and (l) of this section, each transmitter utilized for operation under this part and each transmitter marketed as set forth in §2.803 of this chapter must be of a type which has been certificated for use under this part.

(1) [Reserved]

(2) Any manufacturer of radio transmitting equipment (including signal boosters) to be used in these services may request certification for such equipment following the procedures set forth in subpart J of part 2 of this chapter. Certification for an individual transmitter or signal booster also may be requested by an applicant for a station authorization by following the procedure set forth in part 2 of this chapter. Such equipment if approved will be individually enumerated on the station authorization.

(b) Certification is not required for the following:

(1) Transmitters used in developmental operations in accordance with subpart Q.

(2) Transmitters used for police zone and interzone stations authorized as of January 1, 1965.

(3) Transmitting equipment used in the band 1427–1435 MHz.

(4) Transmitters used in radio-location stations in accordance with subpart F authorized prior to January